WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1973

ENROLLED

HOUSE BILL No. 268

(By Mr. Seibert)

PASSED June 28, 1973

In Effect July 1, 1973

FILLED IN THE OFFICE
EDGAR F. HEISELL III
SECRETARY OF STATE
THIS DATE 2-10-73
AN ACT to amend and reenact section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to public service commission of West Virginia; composition; appointment, qualifications and disqualification of commissioners; removal from office; terms of office; vacancies; increasing salaries.

Be it enacted by the Legislature of West Virginia:

That section two, article one, chapter twenty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. GENERAL PROVISIONS.

§24-1-2. Composition; appointment, qualifications and disqualification of commissioners; removal from office; terms of office; vacancies; salaries.

There shall be a public service commission of West Virginia which by that name may sue be sued. The unexpired terms of members of the public service commission at the time this section becomes effective shall hereby be continued. Such public service commission shall consist of three members who shall be appointed by the governor with the advice and consent of the Senate. The commissioners shall be citizens and residents of this state and at least one of them shall be duly licensed to practice law in West Virginia, of not less than ten
years' actual experience at the bar. No more than two of said commissioners shall be members of the same political party. The appointment of a commissioner shall be for a period of six years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each commissioner shall, before entering upon the duties of his office, take and subscribe to the oath provided by section five, article four of the Constitution, which oath shall be filed in the office of the secretary of state. The governor shall annually designate one of the commissioners as chairman who shall be the chief administrative officer of the commission. The governor may remove any commissioner only for incompetency, neglect of duty, gross immorality or malfeasance in office.

No person while in the employ of, or holding any official relation to, any public utility subject to the provisions of this chapter, or holding any stocks or bonds thereof, or who is pecuniarily interested therein, shall serve as a member of the commission or as an employee thereof. Nor shall any such commissioners be a candidate for or hold public office, or be a member of any political committee, while acting as such commissioner; nor shall any commissioner or employee of said commission receive any pass, free transportation or other thing of value, either directly or indirectly, from any public utility subject to the provisions of this chapter. In case any of such commissioners shall become a candidate for any public office or a member of any political committee, his office as commissioner shall be ipso facto vacated.

For the administration of this chapter each commissioner shall receive a salary of twenty thousand dollars per annum to be paid in monthly installments from the special fund collected from public utilities under the provisions of subsection (a), section six, article three of this chapter.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

H. Darrel Cherry
Chairman Senate Committee

Chairman House Committee

Originated in the House.

Howard W. Pearson
Clerk of the Senate

VA Blankenship
Clerk of the House of Delegates

W. A. Beardslee, Jr.
President of the Senate

Lewin M. M. Mann
Speaker House of Delegates

The within _______ approved _______ this the _______.

day of _________, ______. 1973.

Governor

[Signature]
PRESENTED TO THE GOVERNOR

Date 7/5/73
Time 4:00 p.m.